

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY SAVAGE,

Plaintiff,

v.

BIOPORT, INC.,

Defendant.

Case No. 1:07-cv-370

Judge Paul L. Maloney

Magistrate Judge Carmody

Order Disqualifying Plaintiff's Counsel
Absent Forthwith Compliance with W. D Mich L CIV R 83.1

Attorney John Edward Carpenter filed the complaint in the United States District Court for the District of Columbia in January 2006. In October 2006 a judge of that court ordered that the case be transferred to this court. The transfer of the case to this court was finalized on April 18, 2007.

On April 19, 2007, the Clerk of this court sent plaintiff's counsel a letter stating that plaintiff's counsel needs to seek admission to practice before this court. Plaintiff's counsel failed to seek admission to practice before this court or to seek an extension of time in which to do so. The Clerk sent him a second letter, dated June 19, 2007, that stated, in pertinent part:

Our records reveal that you have not provided the documents necessary to be admitted to practice in this court, despite receiving notification of the requirements.

According to W.D. MICH. LCIVR 83.1, for an attorney to practice in this Court it is required that he or she submit an application for admission. Your failure to provide the necessary paperwork will result in your being prohibited from proceeding in this

case. Please complete the enclosed Petition for Admission form and return it to this office.

Over two months have elapsed since the Clerk's second admission letter was served on plaintiff's counsel, and plaintiff's counsel has neither sought admission to practice before this court nor sought an extension of time in which to do so.¹

Accordingly, the court hereby **PROHIBITS** John Edward Carpenter from acting as counsel in this case unless he files the required documentation seeking admission to practice before this Court by September 10, 2007.

IT IS SO ORDERED.

/s/ Paul L. Maloney

Honorable Paul L. Maloney
United States District Judge

1

Since receiving the second admission letter, plaintiff's counsel has, among other things: filed a motion seeking leave to submit a brief regarding a related-case issue (#36 on July 30, 2007), filed said brief (#39 on July 11, 2007), participated in a scheduling conference before Magistrate Judge Carmody (minutes at #41 on August 2, 2007), and received a copy by U.S. mail of the minutes from said scheduling conference. Obviously plaintiff's counsel is aware of the pendency and status of the case.